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8  
 9 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

10  
 11 EQUAL EMPLOYMENT  
 12 OPPORTUNITY COMMISSION,  
 Plaintiff,

13 v.  
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15 CAESARS ENTERTAINMENT,  
 16 INC., d/b/a RENO HILTON, PARK  
 PLACE ENTERTAINMENT  
 17 CORPORATION, d/b/a RENO  
 HILTON, FHR CORPORATION,  
 18 d/b/a RENO HILTON and DOES 1 -  
 10, inclusive,

19 Defendants.

CASE NO.: CV-N-04-0276-DWH-VPC

**FIRST AMENDED COMPLAINT-  
 CIVIL RIGHTS EMPLOYMENT  
 DISCRIMINATION**  
 (42 U.S.C. §§ 2000e, *et seq.*)

**JURY TRIAL DEMAND**

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 21 **NATURE OF THE ACTION**

22 This is an action under Title VII of the Civil Rights Act of 1964, as  
 23 amended, and Title I of the Civil Rights Act of 1991 to correct unlawful  
 24 employment practices. Plaintiff United States Equal Employment Opportunity  
 25 Commission ("Commission" or "EEOC") alleges that Defendants Caesars  
 26 Entertainment, Inc., d/b/a Reno Hilton, Park Place Entertainment Corporation,  
 27 d/b/a Reno Hilton, FHR Corporation, d/b/a Reno Hilton, and Doe Defendants 1-  
 28 10 (all named and unnamed Defendants are collectively referred to as

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1 “Defendants”) subjected Charging Party Rosa Gonzalez de Moreno (“Ms.  
2 Gonzalez de Moreno”) and a class of other similarly situated female employees  
3 (“class members”) to sex harassment. The Commission further alleges that  
4 Defendant retaliated against Ms. Gonzalez de Moreno for complaining about the  
5 sex harassment.

#### 6 JURISDICTION AND VENUE

7 1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451,  
8 1331, 1337, 1343 and 1345.

9 2. This action is authorized and instituted pursuant to Section 706(f)(1)  
10 and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §  
11 2000e-5(f)(1) and (3) (“Title VII”) and Section 102 of the Civil Rights Act of  
12 1991, 42 U.S.C. § 1981a.

13 3. The employment practices alleged to be unlawful were and are now  
14 being committed within the jurisdiction of the United States District Court for the  
15 District of Nevada.

#### 16 PARTIES

17 4. Plaintiff, U.S. Equal Employment Opportunity Commission, is the  
18 federal agency charged with the administration, interpretation and enforcement of  
19 Title VII, and is expressly authorized to bring this action by Section 706(f)(1) and  
20 (3) of Title VII, 42 U.S.C. § 2000e-5(f)(1) and (3).

21 5. At all relevant times, Defendant Caesars Entertainment, Inc., d/b/a  
22 Reno Hilton has continuously been doing business in the State of Nevada, and in  
23 Washoe County. At all relevant times, Defendants have continuously employed  
24 fifteen (15) or more persons.

25 6. At all relevant times, Defendant Park Place Entertainment  
26 Corporation, d/b/a Reno Hilton has continuously been doing business in the State  
27 of Nevada, and in Washoe County. At all relevant times, Defendants have  
28 continuously employed fifteen (15) or more persons.

1           7.     At all relevant times, Defendant FHR Corporation, d/b/a Reno Hilton  
2 has continuously been doing business in the State of Nevada, and in Washoe  
3 County. At all relevant times, Defendants have continuously employed fifteen  
4 (15) or more persons.

5           8.     At all relevant times, Defendants have continuously engaged in an  
6 industry affecting commerce within the meaning of Sections 701(b), (g) and (h)  
7 of Title VII, 42 U.S.C. §§ 2000e(b), (g) and (h).

8           9.     Plaintiff is ignorant of the true names and capacities of Defendants  
9 sued as Doe Defendants 1 through 10, inclusive, herein and therefore Plaintiff  
10 sues said Defendants by such fictitious names. Plaintiff reserves the right to  
11 amend the complaint to name the Doe Defendants as they become known.  
12 Plaintiff alleges that each of the Defendants named as Doe Defendants was in  
13 some manner responsible for the acts and omissions alleged herein and Plaintiff  
14 will amend the complaint to allege such responsibility when same shall have been  
15 ascertained by Plaintiff.

16          10.    It is further alleged on information and belief that Defendant  
17 Caesars Entertainment, Inc., d/b/a Reno Hilton, Park Place Entertainment  
18 Corporation, d/b/a Reno Hilton, FHR Corporation, d/b/a Reno Hilton and the Doe  
19 Defendants are alter egos of one another.

20          11.    All of the acts and failures to act alleged herein were duly  
21 performed by and attributable to all Defendants, each acting as a successor, agent,  
22 employee or under the direction and control of the others, except as otherwise  
23 specifically alleged. Said acts and failures to act were within the scope of such  
24 agency and/or employment, and each Defendant participated in, approved and/or  
25 ratified the unlawful acts and omissions by other Defendants complained of  
26 herein. Whenever and wherever reference is made in this Complaint to any act by  
27 a Defendant or Defendants, such allegations and reference shall also be deemed

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1 to mean the acts and failures to act of each Defendant acting individually, jointly,  
2 and/or severally.

### 3 STATEMENT OF CLAIMS

4 12. More than thirty days prior to the institution of this lawsuit, Ms.  
5 Gonzalez de Moreno filed a Charge of Discrimination with the Commission  
6 alleging violations of Title VII by Defendants. The Commission investigated and  
7 issued a Letter of Determination finding that Ms. Gonzalez de Moreno and a class  
8 of similarly situated females were subjected to unlawful sex harassment and that  
9 Ms. Gonzalez de Moreno was subjected to retaliation for complaining about sex  
10 harassment in violation of Title VII. All conditions precedent to the institution of  
11 this lawsuit have been fulfilled.

12 13. Since in or about at least 2002, Defendants have engaged in unlawful  
13 employment practices at its Reno, Nevada location, in violation of Section 703(a)  
14 of Title VII, 42 U.S.C. §2000e-2(a)(1) by subjecting Ms. Gonzalez de Moreno  
15 and other similarly situated female employees to sex harassment. The sex  
16 harassment Ms. Gonzalez de Moreno and the other female employees were  
17 subjected to, included but was not limited to, egregious and sometimes violent  
18 sex harassment resulting in physical injury, unwelcome physical touching,  
19 grabbing, forcibly undressing, choking, fondling and rubbing by Defendants'  
20 employees as well as sexually charged, derogatory and/or demeaning comments  
21 and speech and/or conduct by the victim's co-workers and/or supervisors.  
22 Defendants, through their supervisors who witnessed and did nothing and/or  
23 participated in such conduct, ratified the sex harassment.

24 14. When Ms. Gonzalez de Moreno rebuked and/or complained about  
25 the sex harassment, Defendants' supervisors ostracized her and reduced her job  
26 duties resulting in a tangible employment action. Defendants also failed to take  
27 immediate and effective corrective action to prevent the harassment despite

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1 repeated complaints from Ms. Gonzalez de Moreno and/or other female  
2 employees about the harassment.

3 15. The effect of the practice(s) complained of in paragraphs 13 and 14  
4 above has been to deprive Ms. Gonzalez de Moreno and other similarly situated  
5 female employees of equal employment opportunities and otherwise adversely  
6 affect their status as employees because of their sex and because Ms. Gonzalez de  
7 Moreno complained about sex harassment.

8 16. Since in or about at least 2002, Defendants have engaged in unlawful  
9 employment practices at its Reno, Nevada location, in violation of Section 704(a)  
10 of Title VII, 42 U.S.C. § 2000e-3(a) by subjecting Ms. Gonzalez de Moreno to  
11 retaliation for complaining about sex harassment.

12 17. The effect of the practices complained of above in paragraph 16 has  
13 been to deprive Ms. Gonzalez de Moreno of equal employment opportunities and  
14 to otherwise adversely affect her employment status because she engaged in  
15 activity protected under Title VII.

16 18. The unlawful employment practices complained of in paragraphs 13  
17 through 16 above were intentional.

18 19. The unlawful employment practices complained of in paragraphs 13  
19 through 16 above were done with malice or with reckless indifference to the  
20 federally protected rights of Ms. Gonzalez de Moreno and other similarly situated  
21 female employees.

22 20. As a direct and proximate result of the aforesaid acts of Defendants,  
23 Ms. Gonzalez de Moreno and other similarly situated female employees have  
24 each suffered emotional pain, suffering, inconvenience, loss of enjoyment of life,  
25 humiliation, and damages, according to proof.

26 21. As a direct and proximate result of the aforesaid acts of Defendants,  
27 Ms. Gonzalez de Moreno and other similarly situated female employees suffered

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1 a loss of earnings, compensation, benefits, and/or other pecuniary losses in an  
2 amounts according to proof.

3 PRAYER FOR RELIEF

4 Wherefore, the Commission respectfully requests that this Court:

5 A. Grant a permanent injunction enjoining Defendants, their respective  
6 officers, successors, assigns, agents, alter egos, and/or all persons in active  
7 concert or participation with them, from engaging in any employment practice  
8 which discriminates on the basis of sex and/or constitutes sexual harassment;

9 B. Grant a permanent injunction enjoining Defendants, their respective  
10 officers, successors, assigns, agents, alter egos, and/or all persons in active  
11 concert or participation with them, from retaliating against any employee who  
12 engages in any protected activity under Title VII;

13 C. Order Defendants to institute and carry out policies, practices, and  
14 programs which provide equal employment opportunities for women, and which  
15 eradicate the effects of its past and present unlawful employment practices;

16 D. Order Defendants to make whole Ms. Gonzalez de Moreno and other  
17 similarly situated female employees, by providing appropriate backpay with  
18 prejudgment interest, and front pay in amounts to be determined at trial, and/or  
19 other affirmative relief necessary to eradicate the effects of its unlawful  
20 employment practices;

21 E. Order Defendants to make whole Ms. Gonzalez de Moreno and other  
22 similarly situated female employees, by providing compensation for past and  
23 future pecuniary losses, including but not limited to losses resulting from out of  
24 pocket expenses, and/or other affirmative relief necessary to eradicate the effects  
25 of its unlawful employment practices;

26 F. Order Defendants to make whole Ms. Gonzalez de Moreno and other  
27 similarly situated female employees by providing compensation for past and  
28 future non-pecuniary losses resulting from the unlawful practices complained of

1 in paragraphs 13 through 16 above, including, but not limited to emotional pain,  
2 suffering, inconvenience, loss of enjoyment of life, and humiliation, in amounts to  
3 be determined at trial;

4 G. Order Defendants to pay Ms. Gonzalez de Moreno and other  
5 similarly situated female employees punitive damages for its malicious and  
6 reckless conduct described in paragraphs 13 through 16 above, in amounts to be  
7 determined at trial;

8 H. Grant such further relief as the Court deems necessary and proper in  
9 the public interest; and

10 I. Award the Commission its costs of this action.

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JURY TRIAL DEMAND

The Commission requests a jury trial on all questions of fact raised by its complaint.

Dated: August 10, 2004

Respectfully Submitted,

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